IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 20TH OCTOBER 2006 / 28TH ASWINA 1928

Bail Appl..No. 6133 of 2006()

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CRIME NO.1010/2006 OF KOTTARAKARA POLICE STATION

PETITIONERS/ACCUSED

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1. BABU K., S/O.KOCHUKUNJU,
   AATTUPURATHU PADINJATHATHIL, PERUMKULAM P.O.,
   KOTTARAKKARA.

2. RAGHU G., S/O.A.GOPALAN,
   AATTUPURATHU TAZHATHATHIL, PERUMKULAM P.O.,
   KOTTARAKKARA.

3. MOHANAN G., S/O.GOPALAN,
   AGED 31, MOHANAVILASOM, PERUMKULAM P.O.,
   KOTTARAKKARA.

4. SANTHOSH KUMAR, AGED 21,
   AATHUPURATHU VEEDU, PERUMKULAM P.O.,
   KOTTARAKKARA.

5. SATEESH KUMAR S., S/O.SOMAN,
   AATTUPURATHU VEEDU, PERUMKULAM P.O.,
   KOTTARAKKARA.

6. GOPALAN  A., S/O.AADHICAN, AGED 69,
   AATTUPURATHUTAZHATHIL, PERUMKULAM P.O.,
   KOTTARAKKARA.

7. THULASEEDHARAN G., S/O.GOPALAN,
   NANDILAZHIKATTU VEEDU, PERUMKULAM P.O.,
   KOTTARAKKARA.

8. RAGHAVAN K., S/O.KUNJIRAMAN,
   NANDILAZHIKATHU VEEDU, PERUMKULAM P.O.,
   KOTTARAKKARA.

9. GOPALAN K., S/O.KANNAN,
   NANDILAZHIKATTU VEEDU, PERUMKULAM P.O.,
   KOTTARAKKARA.

10. RAVEENDRAN @ SHANKARAN,
S/O.RAMAN, AATTUPURATHU VEEDU,
PERUMKULAM P.O., KOTTARAKKARA.

11. SOMAN G., AATTUPURATHU VEEDU,
PERUMKULAM P.O., KOTTARAKKARA.

12. SANTHA K., D/O.KOCHUKUNJU,
AATTUPURATHU VEEDU, PERUMKULAM P.O.,
KOTTARAKKARA.

13. MEENAKSHI K., D/O.CHANDRAN,
AGED 61 YEARS, AATTUPURATHUTAZHATHIL VEEDU,
PERUMKULAM P.O., KOTTARAKKARA.

14. KUNJUPENNU, D/O.AYYAN,
AGED 51 YEARS, NANDILAZHIKATHU VEEDU,
PERUMKULAM P.O., KOTTARAKKARA.

BY ADV. SRI.PREMCHAND R.NAIR

RESPONDENTS: COMPLAINANT
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STATE OF KERALA,
REP. BY SUB INSPECTOR OF POLICE,
KOTTARAKKARA POLICE STATION,
REP. THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR, SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/10/2006, ALONG WITH BA NO. 6237 OF 2006 THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**J.M.JAMES, J.**

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B.A. Nos. 6133/2006 and 6237/2006

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Dated this the 20th day of October, 2006

**O R D E R**

The petitioners in B.A.No.6133/2006 are before this Court for a pre-arrest order, as they apprehend arrest in Crime No.1010/2006 of Kottarakara Police Station, for the offence punishable under Sections 143, 147, 148, 324, 323 and 308 I.P.C., read with Section 149 of the Indian Penal Code. It is alleged that the petitioners, assaulted the de facto complainant and four others, with various weapons and stones, thereby inflicting injuries on them. I have gone through the wound certificate that has been produced by the prosecution. I have also noted the injuries which occurred to one Rajeev, who is the first petitioner in B.A.No.6237/2006.

2. B.A.No.6237/2006, had been preferred by the accused also for a pre-arrest order, as they apprehend arrest in Crime No.1009/2006, of the very same police station, for the offence punishable under Sections 143, 147, 148, 452, 294(b),

324, 308 and 427 I.P.C., read with Section 149 of the Indian Penal Code. It is alleged that these petitioners have assaulted the opposite group, who are the petitioners in B.A.No.6133/2006. Thus, both the crimes are case and counter case of the connected incidents that occurred on 05/09/2006, at about 3 p.m. There also I have gone through the wound certificate produced by the parties, and the injuries sustained by one Gopalan, the ninth petitioner, in B.A.No.6133/2006.

3. After hearing the learned Public Prosecutor, as well as the counsel appearing for the petitioners in both the applications, I dispose of these applications, with the following directions:-

i. **In B.A.No.6133/2006:-**

a) The petitioners shall appear before the Investigating Officer, who is investigating Crime No.1010/2006 of Kottarakara Police Station, on 26/10/2006, between 9.30 a.m and 10 a.m.

b) The Investigating Officer shall interrogate the petitioners, and, thereafter, release them on bail, in the event of their arrest, on each petitioner, executing a bond for Rs.15,000/-, with two solvent sureties each for the like sum, to

the satisfaction of the Investigating Officer arresting them.

ii. **In B.A.No.6237/2006:-**

a. The petitioners shall appear before the Investigating Officer, who is investigating Crime No.1009/2006 of Kottarakara Police Station, on 27/10/2006, between 9.30 a.m and 10 a.m.

b. The Investigating Officer shall interrogate the petitioners, and in the event of their arrest, they shall also be released on bail, on each one of them executing a bond for Rs.15,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Investigating Officer arresting them.

iii. The petitioners in both the cases, shall report before the Investigating Officer, as and when required, till the completion of the investigation.

iv. The petitioners shall not indulge in any criminal activities, or create any law and order situation in the locality, while on bail.

**(J.M.JAMES)**
Judge

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